

1 ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
2 PUBLIC HEARING
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5 IN RE: THE NOTICE OF COMMENT)
6 PERIOD and PUBLIC HEARING CONCERNING)
7 the PROPOSED ISSUANCE OF A)
8 CONSTRUCTION PERMIT TO PATRIOT)
9 RENEWABLE FUELS, LLC, NEAR ANNAWAN.)
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17 REPORT OF PROCEEDINGS of the EPA public
18 hearing held under the Illinois EPA's Procedures
19 for Permit and Closure Plans, 35 IAC 166, Subpart
20 A, heard on the 2nd day of August, 2006, at the
21 Annawan Meeting and Banquet Center, 317 North
22 Canal, Annawan, Illinois.
23

17 A P P E A R A N C E S

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1 P R O C E E D I N G S

2

3 MR. BROWN: Good evening, ladies
4 and gentlemen. My name is Dennis Brown. I'm
5 with the Illinois Environmental Protection
6 Agency from Springfield, and I will be the
7 presiding hearing officer during the hearing
8 this evening.

9 What I want to do is open up with
10 a few comments of my own. After that I'm going
11 to introduce the gentleman to my left and allow
12 him to make any additional comments.

13 After that I'd like to open up
14 for your comments. Any questions or comments
15 that you may have can be asked at that time.
16 Let the record reflect there are approximately
17 120 participants.

18 To begin, in January of 2006 the
19 Illinois Environmental Protection Agency -- let
20 me stop for a moment. Can everyone hear in the
21 back of the room?

22 (Several audience members responded no.)

23 MR. BROWN: No? I'll try and

1 talk a little bit louder with the microphone
2 closer. Does that make any difference?

3 AUDIENCE MEMBER: Can you stand
4 up?

5 MR. BROWN: If it will help,
6 yeah, I'll stand up. Is that, is that of
7 any --

8 (Several audience members responded yes.)

9 MR. BROWN: Okay. Good. If you
10 can't hear me, let me know. In January of
11 2006 the Illinois Environmental Protection
12 Agency received from Patriot Renewable Fuels,
13 LLC a permit application to allow the
14 construction of an ethanol production facility
15 located in Annawan, Illinois.

16 Based upon information contained
17 within the permit application received from
18 Patriot Renewable Fuels the Illinois EPA has
19 prepared for issuance construction permit
20 number 6, excuse me, 06010085.

21 The draft construction permit
22 allows the construction of an ethanol plant to

23 facilitate the production of ethanol, excuse

5

1 me, to facilitate the production of ethanol and
2 distiller grains.

3 The ethanol to be produced is in
4 the form of ethyl alcohol which can be used to
5 enhance octane fuel. Distiller grains
6 produced are usable as an animal feed.

7 Specific facility operations
8 including emission sources, associated air
9 pollution, control equipment and emissions data
10 are more fully described within a permit
11 application received from Patriot and the draft
12 construction permit prepared by the Illinois
13 EPA.

14 This hearing is held pursuant to
15 35 Illinois Administrative Code, part 166,
16 after notice has been published to receive
17 relevant public comments prior to a final
18 permit decision by the Illinois EPA with regard
19 to the construction permit.

20 Please direct your comments you
21 may have this evening to the hearing officer,

22 to me first. I will then direct them to the
23 appropriate person here.

6

1 Importantly, comments and
2 questions must be relevant to the matter being
3 considered by the Illinois EPA which is the
4 issuance of a construction permit to Patriot
5 Renewable Fuels containing operating
6 requirements and emission limits to ensure
7 ethanol production operations are performed in
8 compliance with applicable Federal and State
9 pollution regulations.

10 Dialogue with or comments or
11 questions arguing against a speaker will not be
12 allowed. After the close of this evening's
13 hearing the hearing record will remain open
14 until September 1st of 2006.

15 The Illinois EPA will accept and
16 enter into the hearing record additional
17 comments and questions received on or before
18 September 1st.

19 To my left is Minesh Patel.
20 Minesh is an engineer and he is the assigned

21 permit analyst with regard to drafting a permit
22 and reviewing the permit application received
23 from Renewable Fuels. Minesh is going to have

7

1 a few comments as well.

2 MR. PATEL: Good evening, ladies
3 and gentlemen. My name is Minesh Patel. I'm
4 a permit engineer with the Bureau of Air. I
5 will be giving you a brief description of the
6 proposed ethanol plant.

7 Patriot Renewable Fuel, LLC, has
8 requested a construction permit for a dry mill
9 ethanol plant in Annawan. The principle
10 product produced at the ethanol plant are fuel
11 ethanol and distiller grains.

12 The proposed plant would have a
13 capacity of producing 110 million gallons of
14 denatured ethanol per year. The proposed
15 ethanol plant includes the grain elevator where
16 grain is received and stored.

17 The stored grain is cleaned and
18 conveyed to hammermill to produce fine powder.
19 The emissions from these operations are

20 controlled by the filters also known as
21 baghouses.

22 The ground grain produced in
23 hammermilling is mixed with water, heat and

8

1 enzymes to produce slurry. The starch in
2 slurry is converted to sugar by adding more
3 enzymes to produce mash for fermentation.

4 Yeast is added to the mash for
5 fermentation to produce ethanol rich beer and
6 CO2 gas. The CO2 rich gas stream is sent to
7 fermentation cover to remain organic material.
8 The wastewater from the scrubber is sent back
9 to the process.

10 VOM emissions from the mash
11 preparation area are vented to the thermal
12 oxidizers. In the distillation process the
13 solid and ethanol containing water are
14 separated from ethanol rich beer produced in
15 the fermentation tank.

16 The ethanol recovered in the
17 distillation process is sent to the storage
18 area where denaturant is added to the ethanol

19 prior to sending out to customers. VOM
20 emissions from certain distillation units are
21 entered into thermal oxidizers.
22 Emissions from ethanol loadout
23 operations are controlled by the loadout flare.

9

1 The solids from the distillation system, also
2 known as stillage, is sent to the watering
3 operation where excess water is removed to
4 produce wet cake.

5 Due to limited shelf life of wet
6 cake it is sent to feed dryers to produce
7 distiller grains that can be used as animal
8 feed. Four natural gas fired dryers will be
9 used to produce dry feed from wet cake.

10 Emissions from dryer are
11 controlled by recuperative thermal oxidizer.
12 The oxidizer also functions as the furnace for
13 the boiler to supply steam required by the
14 plant.

15 Particulate matter emissions from
16 feed cooling and loadout operation are
17 controlled by baghouses. A non-contact

18 cooling water tower is used for process cooling
19 and are controlled by mist eliminators.

20 This proposed ethanol plant is
21 not considered a major source because the
22 permitted emissions of pollutant from this
23 plant would be less than the major source

10

1 threshold level.

2 Actual emissions from the
3 facility will be less than this, less than the
4 limits in the permit to the extent that the
5 actual performance of the plant is better than
6 projected and the plant not utilize as much.

7 The Illinois EPA has reviewed the
8 materials submitted by the Patriot Renewable
9 Fuels and has determined that application for
10 the project shows that it will comply with
11 applicable State and Federal regulation.

12 The condition of the proposed
13 drought permit contain limitations and
14 requirements on the activities of the facility.
15 The permit also establishes appropriate
16 testing, monitoring, recordkeeping, and

17 reporting requirements.

18 In closing, the Illinois EPA is
19 proposing to grant a construction permit. We
20 welcome any comments or questions from the
21 public on our proposed action. Thank you.

22 MR. BROWN: Good. Before
23 beginning -- excuse me. Before moving on to

11

1 your comments and questions, I understand that
2 there is a representative from Patriot
3 Renewable Fuels here this evening as well who
4 would like to offer a comment before going on,
5 and I'd like to extend that courtesy now,
6 please.

7 MR. GRIFFITH: Thank you,
8 Mr. Brown and Mr. Patel. I appreciate the
9 opportunity to say a few words here. Thank
10 you for coming this evening as well.

11 Our project has been in process
12 for a considerable period of time and we're
13 excited about the opportunities before us. I
14 personally have been involved with this project
15 for about two years.

16 I guess, by the way, my name is
17 Gene Griffith. I'm the president and CEO of
18 Patriot Renewable Fuels, but I didn't initiate
19 the process.

20 The project was actually
21 initiated by some of the people here in the
22 Annawan location. And I know that those of you
23 that are local would be well familiar with some

12

1 of these people that have been a part of and
2 predecessor to this process.

3 We have here with us tonight a
4 number of our board members. I'm not sure if
5 they're all here. I guess maybe I'd ask that
6 they stand up and I would just take a minute to
7 introduce them so that you know who the people
8 are.

9 On the, my far right over here is
10 Bernard Francque from Geneseo. Next to him is
11 Jeff VandeVoorde from up here just by, a mile
12 north of town here. Next is Jerry Rux from
13 Kewanee. Don King is from Manlius, a
14 community over here just to the northeast of

15 Annawan.

16 Tom Scheckel is our lone Iowa
17 board member. He's from Bellevue, Iowa.
18 We've got Scott Rubins over here also from the
19 Geneseo area. And let's see.

20 Okay. We've got Robert Griffith
21 back here. He's from Libertyville, formerly
22 from Geneseo, and an integral part of it. Did
23 I miss anybody that's here that's on the board?

13

1 We also have I think Helen Akers
2 who is part of the staff in our office. We
3 have a limited number of people there but Helen
4 Akers is in the back of the room as well.

5 Okay. Thank you very much. If
6 there's questions, why, after the meeting any
7 of the people in this group will be glad to
8 answer them. We have made the announcement
9 back in December that it was our intention to
10 build a hundred million gallon ethanol plant in
11 Annawan.

12 The things that we said that
13 accompanied that was that we expected that to

14 generate a market that, or to the feed stock
15 for that would be about 36, 37 million bushels
16 of corn. It will employ some 45 people.

17 We wanted it to be a grass roots
18 project, and I'm real happy to say that the
19 ownership of this project will largely be from
20 western Illinois and the midwest. So it's a
21 diverse group. We are very proud of that, of
22 that beginning.

23 A couple of good things that I

14

1 would like to point out. In addition to making
2 a market for corn in this area we also have
3 been working hard to communicate starting back
4 in February with the neighbors in the area.

5 And we've had some other meetings
6 with people who will take, who are directly
7 involved, and we are very happy about that.
8 Some, for those of you that live in the area I
9 know there will be some questions about the
10 water because we have been drilling for water
11 out here. And we want to get that part of our
12 plan together.

13 I know that's not part of this
14 particular hearing but we've got a plan that
15 will probably, that appears that we're going to
16 be drilling deep for water which will
17 definitely not be likely to affect any of the
18 aquifers that would be affected by, that could
19 be impacted by other kinds of wells in this
20 area. So we're very pleased about that. So at
21 a later time we'll share more information with
22 you about that issue.

23 At this time I think that I'd

15

1 like to turn it back over to, I'll turn it back
2 over to Mr. Brown and Mr. Patel. But we thank
3 you and we look forward to working with you as
4 the project develops. Thank you.

5 MR. BROWN: Thank you, Mr.
6 Griffith. What I'd like to do now is open up
7 for your comments and for your questions.
8 Please, as you approach you can either, well,
9 I'll offer it up to you.

10 You can speak from where you're
11 seated. Just please stand up, offer your name.

12 Spell your last name. And if you're associated
13 with or affiliated with a group and you care to
14 mention names, please do that as well.

15 There are approximately 120
16 people here this evening. There will be a
17 number of commenters I'm sure. Given that,
18 what I'm going to do is limit the comment time
19 to no more than seven minutes a piece, please.

20 We welcome your comments. You
21 are free to supplement that time period in
22 writing within the comment period. Okay?

23 What I'm going to do is start out

16

1 by just calling names from the registration
2 forms, those that have indicated that they
3 would like to offer a comment.

4 I apologize. I'm going to not
5 say some of these names correctly. Joe Burat.
6 Joe Buret.

7 MR. BURESH: I'm Joe Buresh. I'm
8 the superintendent of Annawan Community Schools
9 in Annawan, and I really wanted to wait to hear
10 some of the comments before I commented.

11 I would say the school district
12 is very thrilled with the plant and we would
13 like to see it continue, and we think that the
14 group has done everything in their timeframe to
15 make it happen and we support the process to
16 continue it and to build here.

17 MR. BROWN: Thank you, Mr.
18 Buresh. The next commenter would be Harry,
19 and I apologize, McCune.

20 MR. McCUNE: I just want to say
21 that we all know what the price of gas is, but
22 nobody knows what the real price of gas is in
23 the work force from our soldiers being injured

17

1 and things like that, a lot of hidden costs
2 that we can't put our finger on. So if
3 American farmers can help out with some of that
4 I think it's a great thing.

5 MR. BROWN: Thank you, Mr.
6 McCune. Is it Mark Marquis or Marquis?

7 MR. MARQUIS: It's Marquis.
8 M-A-R-Q-U-I-S. I'm a resident of the State of
9 Illinois. I have reviewed the permit. I

10 encourage the Illinois EPA to issue the permit
11 to Patriot Renewable Fuels.

12 I think this plan could be of
13 benefit to the greater good of the citizens of
14 the State of Illinois. Thank you.

15 MR. BROWN: Thank you, Mr.
16 Marquis. I apologize, is it Jay DeValkenaere?

17 MR. DEVALKENAERE: My name's Jay
18 DeValkenaere. I live in Kewanee. I guess
19 somebody's got to start. I'll be the first
20 doomsayer. I don't think ethanol is the
21 answer.

22 I've done a little bit of
23 research. There's a lot of wastewater that we

18

1 have to deal with. There's a lot of air
2 quality problems with the other ethanol plants
3 around the country.

4 I'm not saying that's going to
5 happen here, I'm just saying that these are
6 things I've found getting on the internet
7 looking for information. And I don't think
8 this is going to be good for the people of

9 Annawan down the road.

10 MR. BROWN: Thank you for

11 commenting. Kevin Stark, please.

12 MR. STARK: I live in Iowa and my

13 main concern, in Iowa they've looked at

14 different things as far as the proximity to

15 schools, and just listening to the gentleman

16 over here from the school system, has the EPA

17 looked at everything as far as the proximity to

18 the schools and the City of Annawan and the

19 surrounding communities?

20 MR. PATEL: Yes. Renewable has

21 submitted a copy of the broad plan indicating

22 where the school will be in the general

23 vicinity of the plant.

19

1 MR. STARK: Thank you.

2 MR. BROWN: Thank you for your

3 comments, Mr. Stark. Is Rock Katschnig here,

4 please?

5 MR. KATSCHNIG: First, I'll speak

6 as a farmer in the community. We look forward

7 to the opportunity to deliver our grain 10

8 miles instead of 50, 60 miles like we have. In
9 our particular operation it would mean a
10 savings of six thousand gallons of diesel fuel
11 per year.

12 From the second standpoint, I've
13 been on the Annawan School Board for 12 years
14 and we saw this as a great potential to gather
15 new young families to move into our community,
16 and we're very exited about the construction
17 project right here.

18 I have a lot of faith in the
19 management team with this company here. With
20 any business, the success or failure revolves
21 around the management team in place from day
22 one.

23 And I have a lot of confidence in

20

1 the management team here, that they'll do the
2 right thing and they'll do what's right for the
3 community. And I would also like to encourage
4 you to issue the building permit, or whatever
5 permit.

6 MR. BROWN: Thank you. Thank you

7 for commenting. Is Richard Wolf here, please?

8 MR. WOLF: My name's Richard

9 Wolf, and I'm all for the construction of this

10 but my concern is the wastewater, where is it

11 going to go. Is there going to be a treatment

12 plant?

13 I'd just like to see where it's

14 going to go. There's not much out there for a

15 place for it to go. And also the quality of

16 the water in, there's houses out there and

17 businesses out there.

18 You say you're going to drill

19 deep enough, but is it going to still affect

20 them? And if so, what's going to happen to

21 them is my comment.

22 MR. BROWN: Thank you. Your --

23 MR. PATEL: The wastewater from

21

1 the plant is going to be reintroduced into the

2 process. Basically, the wastewater will run

3 through the bioethinator to remove the methane

4 gas and then back through the process.

5 MR. BROWN: Mike Watters, please.

6 MR. WATTERS: Yes. My name's
7 Mike Watters. I'm from Galva, Illinois. I'm
8 just curious if there's a situation or an
9 accident at the local facility like is the fire
10 department capable of handling, you know,
11 taking care of an incident at the plant? A
12 spill or something like that?

13 MR. BROWN: The permit itself,
14 the hearing we're here for tonight is more
15 directed towards the issue of environmental
16 impact.

17 And as I understand the question
18 it seems to be more directed to an emergency
19 responder's matter. Or an emergencies issue.
20 That information typically is not contained in
21 a permit application.

22 It will be more directed toward a
23 community involvement at that facility and with

22

1 the community emergency responders in the area.
2 Typically that level of information is not
3 provided to the agency for review.

4 MR. WATTERS: Thank you.

5 MR. BROWN: Jim Rapp, please.
6 MR. RAPP: Could I defer to a
7 little later?
8 MR. BROWN: I'm sorry?
9 MR. RAPP: Could I defer to a
10 little later?
11 MR. BROWN: Oh, absolutely. Mark
12 Myers.
13 MR. MYERS: I live in Iowa. I'm
14 just concerned on the air quality that can come
15 from these things. I don't know if there are
16 problems with them throughout Iowa, there's
17 been a lot of them built, but I have heard some
18 rumblings that there are problems after they're
19 established. My concern is that it would be
20 the same thing would happen here.
21 MR. BROWN: Okay. Thanks for
22 your comment. Charlie Palmgren.
23 MR. PALMGREN: Yeah. Part of my

1 concern was after this gentlemen answered over
2 here was much ado about nothing on the water.
3 What, I guess one of the things is about the

4 rainwater that comes from the plant. Is there
5 going to, is all that going to be treated
6 surface water and that?

7 MR. PATEL: The facility will
8 have to apply for a permit with the Bureau of
9 Water to get an MPDES permit, and that would be
10 done a little later on. Is that accurate?

11 MR. GRIFFITH: I might say that
12 process has already been started. The permit
13 has been applied for and we will do that.
14 There will be a stormwater runoff pond for the
15 accumulation of that and it would be handled
16 according to the permit.

17 MR. BROWN: Thank you. James
18 McCune, please.

19 MR. McCUNE: Hi. I'm used to
20 doing these at hog barn meetings so I like to
21 have something to stand behind when I talk. I
22 know a lot of people come here with concerns
23 about people building an ethanol plant and all

1 the way from Iowa and long distances, and I
2 don't really understand what there is to worry

3 about.

4 And all the problems we have in
5 the world with getting fuel here in this
6 country and all the people that live in this
7 community and all these good gentlemen here
8 that are willing to stake their reputation on
9 what they're doing.

10 I mean, they have families here,
11 businesses. They've lived here their whole
12 lives. They're going to raise their children
13 here, and they're trying to do something good
14 for the community, provide jobs and, in my mind
15 help the country.

16 I had two gentlemen that worked
17 for me that went to the service. One of them
18 got killed. The other one is very injured and
19 burned and actually devastated his life. In my
20 mind it was to defend the oil supply 12,000
21 miles away from here we don't need and isn't
22 the cheapest supply of energy in the world.

23 As my brother said earlier,

1 because we're sending them all over there and

2 we're paying for our gasoline in lives, not in
3 dollars. In time of all the people that we
4 send there they could be here doing productive
5 things.

6 There was a sign a half mile up
7 the road here where all the kids from this
8 community that were in Iraq, I think that would
9 be a pretty good reminder of what we're trying
10 to accomplish and everybody else that's working
11 on this project is trying to do.

12 I'm an investor in this project,
13 and I have other ways to make money besides
14 this project, but if it didn't make me a dime
15 and we made ethanol and we lowered our
16 dependence on foreign oil I'd be excited.

17 That's really about all I have to
18 say other than I don't know how anybody defends
19 the position of we don't need ethanol, it's bad
20 for the environment. To me it's, it seems like
21 a pretty weak argument. Thank you.

22 (Applause.)

23 MR. BROWN: Thank you for your

1 comments. James Wilson, please.

2 MR. WILSON: I'm James Wilson
3 with Laser, Incorporated. And first off, I'd
4 like to thank Mr. Brown and the EPA for
5 allowing me to speak.

6 And I speak on behalf of Laser
7 and dozens of supporters in Henry County as
8 well as residents right here in Annawan who
9 asked me to speak on their behalf.

10 First off, I'd like to thank the
11 local investors and the local farmers who have
12 actually taken their staff to find it and
13 tackle a problem we have nationwide that
14 affects the entire country.

15 I'd like to comment about the
16 fact that they really want to do something to
17 help the community and may very well help the
18 country overall when it comes to energy uses.

19 I'd like to also point out that
20 earlier in the year I made a trip to Iowa to
21 view the records on all the ethanol plants in
22 the State of Iowa.

23 What we have going on right now

1 in the ethanol industry is a gold rush. It's
2 no different than the 49'er days in California.
3 Iowa has had major problems because they didn't
4 stop and take a breath. They didn't stop to
5 evaluate what they're doing.

6 They've had almost every ethanol
7 plant, over 90 percent of them have been in
8 violation of water discharge. They've been in
9 violation of their air permits.

10 The developers here locally who
11 want to build this plant are commendable, but
12 they're not in control of the problems. You
13 guys are. The Illinois EPA is in control of
14 the process.

15 The people you have chosen to
16 construct and design and engineer this plant,
17 Fagan and ICM, believe it or not they've had
18 scores of plants they've been involved in these
19 illegal activities, and in fact plants they
20 designed, built and engineered have been in
21 violation of permits through a several state
22 region.

23 Now, Laser's currently involved

1 in looking at more ethanol plants than any
2 other entity in the country from Ohio, Indiana,
3 Illinois. There's some major flaws with this
4 permit.

5 This permit enforcement action is
6 no different and has no more teeth than the
7 same enforcement action, the same exact permit
8 that you have in Lima with what's been
9 happening up on the outskirts of Chicago.

10 No matter how well the intentions
11 of the local owners are, if they're allowed to
12 get a sloppy permit through, I'm talking about
13 the engineer, the designers, the constructors,
14 the ones holding the bag are the local owners.

15 They don't fine Fagan or ICM or
16 these people that put these projects together.
17 They fine the owners and the operators.
18 There's a reason they call this a construction
19 permit because in some areas, in some states,
20 they have operation permits.

21 It's a permit to operate because
22 nothing's looked past a year out. There are no
23 annual requirements to the testing. For

1 example, this particular plant involved in this
2 permit, the boilers allowed in this plant will
3 be three times the pollution levels of a
4 similar type boiler in Indiana and Ohio.

5 I'm sure Illinois can do better
6 than the Buckeyes and the Hoosiers when it
7 comes to these type things. The more stringent
8 the permit is, it gives the firm guidelines the
9 developers and the owners can follow and would
10 make, enable them to know ahead of time, and
11 then not only, not only that, they'll be able
12 to hold, go back and hold the developers, the
13 engineers, designers and the constructors
14 liable if it's found that the plant does
15 operate in those deficiencies.

16 If you give lesser thresholds
17 then it should be inspired, it should be
18 instilled into the permit. Then it's a free
19 ride for the engineering, design and
20 constructors and you're going to be left
21 holding the bag, the local people here.

22 There's several major issues in
23 this permit that aren't addressed. They

1 talked about the water issues, but you're going
2 to have settling ponds. There are emissions in
3 any settling pond operation when it evaporates.

4 And in many states they require
5 that be figured into the overall air emissions.
6 They do not make a zero discharge ethanol plant
7 anywhere in the country. Those are false
8 statements, erroneous statements.

9 All processed water will not be
10 recycled, the only time recycling is a hundred
11 percent. One of the key things that the
12 State's got to realize is if Illinois doesn't
13 tighten up these permits you're going to end up
14 and find yourself in the same situation Iowa
15 is.

16 They've had an emergency
17 appropriation of 25 million dollars this year,
18 the State Legislature, to clean up some of the
19 water problems already developed there because
20 they were in a rush to rubberstamp some
21 permits.

22 These permits, generally
23 speaking, are very, very minimal if you start

1 looking around. I mean, Indiana doesn't have
2 the highest standards. Neither does Ohio.

3 And the Illinois EPA is not in a
4 position to go out and physically, nor do they
5 have the budget to test emissions or to
6 follow-up on checking on these operations.
7 That's the reason that Iowa got in trouble.
8 They didn't have the funding available either.

9 If you don't write it into the
10 permit you can't enforce it. Or you end up
11 where the citizens would actually have to take
12 action like in Lima and have to sue in order to
13 get some enforcement action.

14 There's some issues that aren't
15 being addressed such as ammonia, because 18,000
16 gallons of ammonia will be held at this site.
17 You know, 18,000 gallons of ammonia could
18 create a plume of over seven square miles if it
19 was to rupture, be released.

20 In the operation if there's
21 nothing addressed when they're filling that,
22 what are they going to do about the fugitive
23 emissions ammonia?

1 For that matter, when you're
2 filling your tanker truck with ethanol there's
3 still no provisions here to catch the fumes and
4 stuff that will be lost. It's just like a gas
5 station.

6 And anybody here can tell you a
7 vapor recovery system in a gas station is going
8 to tell me you can't smell gas? That means
9 it's escaping. And there's no designed vapor
10 recovery system in this plant.

11 Well, I'm going to tell you,
12 ethanol very well can be a very beneficial part
13 of this country, but only if we do it wisely
14 and not try to rush and rubberstamp things.

15 But a rush to judgment is going
16 to leave Illinois in the same straits that Iowa
17 is. And there's numerous front page articles,
18 front page stories of the problems over there,
19 and including in Illinois itself, because they
20 didn't take the time to write the criteria
21 here.

22 And I'd like to point out one

23 thing right now. The best available control

33

1 technology is not part of this permit. And
2 we've had the designers tell us that this is
3 going to use that. If it is, then write it
4 into the permit.

5 That means they will be required
6 to have the best available control technology.
7 There's nothing stopping them from
8 involuntarily agreeing with the agency to put
9 that in the permit and require that to get to
10 99.9 percent efficiency on their emissions just
11 like Wisconsin and some other places.

12 Anything short of that would be
13 not honoring those sticking up for us if we end
14 up in a major mess. And one last little piece
15 here is, if you planted every acre in this
16 country in tilled land you still couldn't get
17 25 percent of the oil reduction.

18 So ethanol is a part of the
19 problem, it's part of the solution. But it's
20 not a panacea as far as you go rushing to
21 judgment.

22 And, again, you can only commend
23 the people that's really locally is willing to

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1 put their money up front by looking at this,
2 but right now the process is that they're not
3 driving the process.

4 They're trusting it to the
5 ethanol industry, the people that's actually is
6 creating some of the problems in Iowa and other
7 areas. Laser intends to be involved in this
8 process. We're looking at several plants
9 throughout Illinois.

10 We intend to offer legislation
11 suggesting to the State of Illinois and Laser
12 will have a, has a legal representative here
13 that will give some legal points just a little
14 later on, and I thank you for your time.

15 (Applause.)

16 MR. BROWN: Thank you for your
17 comments, Mr. Wilson. Mr. Bill Roddy.

18 MR. RODDY: I'm Bill Roddy from
19 ICM. We're the plant engineer and designer.
20 Fagan is in the audience and they're going to,

21 they're the contractor that's going to build
22 the plant.

23 Thank you, Illinois EPA, and

35

1 thanks for having me here from Kansas. First,
2 I'd like to say that me individually and our
3 company, we've done environmental permitting in
4 many states and even some foreign countries.

5 Personally I've done
6 environmental permitting in 22 states and I've
7 done environmental work in seven countries.
8 I'd like to say up front that the Illinois EPA
9 permit, the air permit, is a solid permit.
10 It's enforceable. It's actually Federally
11 enforceable.

12 ICM, we built our first
13 greenfield plant, if you will, in 2002 and
14 we've built about, with Fagan's help, about 50
15 to date.

16 And there's about 110 plants that
17 are operating in the U.S. today. We believe we
18 have the experience and the knowhow and the
19 knowledge to build a well controlled plant.

19 company in Canada, and that company has been
20 asked to write the environmental standards for the
21 Canadian ethanol plants, and it's Environment
22 Canada. And they're the equivalent of the
23 U.S. EPA.

37

1 We don't have the contract yet
2 but I'm proud of the fact that they at least
3 asked us and they came to the people in the
4 United States that they believe have the best
5 controls. We do.

6 Our controls are so good we had a
7 competitor actually ask to buy our scrubber
8 technology. We didn't sell it to them. I
9 can say that this plant which has permitted,
10 which has, there's a draft permit. The permit
11 is to operate at 110 million gallons per year.

12 If there's some confusion when
13 you look at the permit and when you talk about
14 a hundred million gallons per year, and 110
15 million gallons per year we call that a
16 nameplate. A hundred because we guarantee the
17 plant will produce a hundred million gallons

18 per year.

19 All of our plants are capable and
20 they have been operating above nameplate. They
21 still have to meet the emission limits in the
22 permit. That's why we permit it 10 percent
23 above.

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1 And I'd also like to say that
2 when we contract with a company we'll issue an
3 emission guarantee and it's our responsibility
4 to be sure they pass emission testing,
5 certification testing and performance testing.

6 And that, that guarantee
7 indicates that that plant will emit at less
8 than a major source level and will be
9 classified a minor source by EPA in the State
10 of, by the U.S. EPA and the Illinois EPA.

11 Now, I'd also like to say that
12 our control technology we believe is BACT, best
13 available control technology or lowest
14 achievable emission reduction equivalent
15 controls. We believe it's the best in the
16 business.

17 Even though it's not required for
18 minor sources when you're major sourced, you're
19 required to go through a very rigorous review
20 and that review would wind up with controls
21 that are about equivalent to ours.

22 Our scrubber, like I mentioned,
23 our scrubber if you're a plant this size

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1 they're going to have to put an active in it,
2 sodium bisulphite, and add to the affinity for
3 VOC acetaldehyde. That's to me the best you
4 can do with our scrubber.

5 And, again, we guarantee the
6 emissions. We have high temperature thermal
7 oxidizers, two of them proposed for this
8 facility. That reduces VOC's half and carbon
9 monoxide. They have passed emission testing in
10 other states.

11 I was just in Iowa at Goldfield
12 where we were actually testing a coal fired
13 fluid bed for emissions. So we are, and we're
14 on the hook to pass emissions or, and if we
15 can't pass emissions then we're on the hook to

16 put even better controls on them if they are
17 available. And this is coal.

18 I will mention that our coal
19 plants, we have sized them. Right now we don't
20 feel we can build a coal plant that's greater
21 than 50 million gallons per year because the
22 emissions will be greater than the minor source
23 trigger or the major source trigger a hundred

40

1 times. So the coal plants right now for the
2 technology we are familiar with, the plant size
3 is limited to 50 million gallons per year.

4 This is a gas fired plant. Gas
5 is a much cleaner fuel. And you can build a
6 hundred million gallon per year plant with
7 controls to stay under a hundred tons.

8 We are employing low NOX emission
9 controls. We've got the low NOX burners in
10 this facility. Truck and rail loadout will
11 have a flare so that the truck or the rail cars
12 will fill up with VOC's. They'll be flared
13 off.

14 We have bag house controls on all

15 our solids handling, and that's grain and
16 hammermilling, and DDG cooling and DDG loadout.
17 They're dried distiller grains and solubles.

18 All roads will be paved. Odor,
19 potential for odors are controlled by the
20 scrubber I mentioned earlier and the thermal
21 oxidizers.

22 I'd like to say that I believe
23 the Illinois standards that the State of

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1 Illinois has, and I mentioned these controls
2 are actually written in the permit. The
3 controls that other states have said are BACT,
4 and they say a thermal oxidizer. We have a
5 thermal oxidizer.

6 They say a scrubber BACT. We
7 have the scrubber. We have the best scrubber
8 in the business. We guarantee it will
9 operate. All these controls together are less
10 than a hundred tons per year.

11 Again, what I'd like to say is
12 the Illinois standards are equivalent to
13 adjacent states and they have to be at least as

14 stringent as the EPA's regulations. They have
15 to meet the EPA new source performance
16 standards.

17 By meeting the Illinois
18 requirements, regulatory requirements, as a
19 minor source you can conclude that the public
20 health and safety and the environment will be
21 protected.

22 The Illinois rules are designed
23 specifically to protect the public health,

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1 safety and environment. ICM, our company, and
2 Patriot, uses the latest control technology
3 which we believe is equivalent to BACT, even
4 though it's not gone through, in this case, the
5 rigorous review that a major source would have
6 to go through.

7 I mentioned the plant I was just
8 at in Iowa to meet their environmental
9 standards where we're testing all emission
10 sources for compliance.

11 And preliminary results by a
12 third party test company, not ICM, not Central

13 Iowa or Renewable Energy, not the owner of the
14 plant.

15 As I mentioned earlier today that
16 preliminary test results are that the plant is
17 meeting the emission standards that they
18 monitored real time. And when I say real
19 time, this plant will have continuous emission
20 monitors for NOX on the boilers.

21 So for every minute of every day
22 the plant will have a record that they'll have
23 to give to the State of Illinois of what the

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1 NOX emissions are on an annual basis or rolling
2 12 month basis or minute by minute basis.

3 I'd just like to briefly mention
4 that our plant will not discharge any water
5 that has come into contact with the process.
6 That doesn't mean it's zero discharge. Only
7 non-contact water will be discharged. And
8 that's water that, for example, is used in the
9 cooling tower.

10 It doesn't come into contact with
11 the process. But that water is recycled

12 through the cooling tower, and during that
13 recycling it evaporates. There are three to
14 seven cycles, and that water is concentrated
15 ground water.

16 It can be legally released as was
17 mentioned with an NPES permit, National
18 Pollution Elimination System discharge permit,
19 which will have to be obtained before they can
20 release any water.

21 Ammonia storage. Yes, we have an
22 18,000 gallon tank that meets the right safety
23 standards, and before the plant will operate

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1 they'll have in place a risk management plan in
2 the event that we have an unplanned ammonia
3 release.

4 And I can tell you that in our
5 history with our plants, we've got about half
6 of them, we have not had a history of ammonia
7 releases. Thank you very much.

8 MR. BROWN: Thank you. Mr. Rapp.
9 Jim Rapp.

10 MR. RAPP: Sure. Thank you.

11 My name's Jim Rapp, R-A-P-P. And I'm a corn
12 grower from Princeton, and I also serve on the
13 Board of the Illinois Corn Marketing Board and
14 I'm here to speak in support of the Patriot,
15 the Patriot Energy venture.

16 Ethanol is good for our
17 environment. It's good for this country. And
18 without a doubt it will have a positive
19 economic impact on this immediate area as well
20 as the entire ag community in many counties in
21 this Illinois Mississippi Valley region.

22 I'm sure everyone here knows the
23 value of ethanol as an oxygenate for cleaner

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1 burning fuels. It is much safer than the
2 environment, or to the environment than the
3 additive MTBB which ethanol is replacing all
4 across the country.

5 I'm sure everyone here knows the
6 value of ethanol in the country as an
7 alternative to dependance on imported oil and
8 our gasoline supplies. Ethanol burns cleaner.
9 It will not pollute our groundwater, streams,

10 lakes and rivers.

11 And best of all, it's renewable
12 and it's made from corn grown right here in
13 this area on some of the most productive soils
14 that's on earth.

15 Better yet, ethanol can be
16 produced without importing a single ear of
17 corn. Now, that brings me to what this is all
18 about as far as I'm concerned. Economic impact
19 on this Illinois Mississippi Valley.

20 This facility is expected to
21 produce a hundred million gallons of ethanol,
22 consuming 36 to 37 million bushels of corn each
23 year. That's close to the corn production in

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1 Bureau County alone.

2 Now, naturally it's not all going
3 to come from Bureau County, Bureau County
4 growers, but corn growers from all the
5 surrounding counties are going to be able to
6 have access to the corn bids.

7 Now, the key point, the 37
8 million bushels of corn needed by takers is the

9 same corn that goes into the supply usually,
10 normally that goes into the Illinois River I
11 assume from here, and eventually makes it to a
12 foreign buyer.

13 Now, this corn, new corn demand
14 is a result of, is going to result in higher
15 cash bids at all the buying locations here in
16 Annawan and all along the Illinois River.

17 The future prices for corn
18 already reflect the anticipated growth of the
19 ethanol industry in the next five years. Now,
20 I checked today's December cash bids at
21 Consolidated Grain and Barge in Hennepin. The
22 December '06 bid, this coming December cash
23 bid, is 251 tonight.

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1 The December '07 bid is 290.
2 Now, that's 39 cents difference. So on the
3 corn that they're going to use at this plant,
4 37 million bushels, that's equivalent to 14 and
5 a third million dollars' added value.

6 Now, I went a little further and
7 looked at this thing from statistics that I

8 found in the four closest county area, which is
9 Bureau County, Whiteside County and Rock Island
10 County for an '05 production loan is 107
11 million bushels of corn.

12 Now, take that times that 39
13 cents and that's 41.7 million dollars of added
14 value to this community. So I went a little
15 deeper. I went on to December '08, and the bid
16 on December cash corn is 316.

17 Now, that's 66 cents better than
18 the bid we've got for corn without ethanol this
19 fall. Take that times the 37 million, that's
20 24.4 million dollars. Take it times 107
21 million, that 66 cents. That's 70.6 million
22 dollars.

23 That's added value for corn grown

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1 in this area, and those are dollars that are
2 going to be spent in this area. Now, an
3 additional benefit of Patriot to the ag
4 communities, the production, the coproduct
5 DDG's.

6 For each bushel of corn we gain

7 2.8 gallon of ethanol plus 17 pounds of DDG's
8 in the quality of livestock poultry feed
9 usually fed to cattle. Now, DDG's are getting
10 greater acceptance with livestock and poultry
11 producers both domestically and around the
12 world.

13 Patriot being located here in
14 Annawan will offer many opportunities for
15 feeders to purchase the quality feed to
16 supplement their current rations.

17 The Annawan location between the
18 Mississippi and Illinois Rivers shall offer
19 opportunities to ship DDG's toward growing
20 world markets for DDG's. And the strong
21 coproduct price will help support the bids for
22 corn.

23 Now, I've worked with a few of

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1 the principle owners of Patriot in the
2 fertilizer ag chemical grain business for a
3 number of years, and they are very
4 professional.

5 They're very environmentally

6 conscious, and they're sensitive to the
7 satisfaction of their customers. There's no
8 reason to think Patriot Energy will be operated
9 any differently.

10 Now, I believe ethanol would be
11 the greatest rural development initiative that
12 we have seen in 50 years. The best part is the
13 result of many years of continuous grass roots
14 efforts by persistent corn growers that believe
15 that ethanol is a better idea. I support this
16 project. Thank you.

17 (Applause.)

18 MR. BROWN: Thank you for coming.
19 Claire Manning.

20 MS. MANNING: Good evening. I'm
21 here basically to applaud the developers. The
22 idea of ethanol is obviously a good idea. I
23 grew up on a farm in Bureau County and am

50

1 excited at the prospect of Illinois being a
2 leader in ethanol.

3 I've been hired, however, to,
4 actually my experience is very great in the

5 area of environmental law and permitting. I
6 was the Chairman of the Police Control Board
7 from 1993 to 2002 and have been asked to look
8 basically at this new ethanol industry,
9 particularly this plant, and to determine and
10 to provide advice to the agency and public
11 comments as to whether this permit in fact
12 meets all of the requirements, the State
13 requirements and the Federal requirements as
14 Mr. Roddy explained earlier.

15 And part of the reason for this
16 is these plants, this one in particular, is
17 being told, put at a threshold that's just shy
18 of the Federal major source standards.

19 The minor, and it's operating,
20 you know, going to be operated and, you know,
21 as the permit is written now to be allowed to
22 be operated as a minor source.

23 And I think the agency needs to

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1 be very careful in making sure that in fact all
2 of the commitments that Mr. Roddy made tonight
3 are, in fact, you know, written in stone.

4 As I reviewed this permit there
5 are various lax provisions that need to be
6 looked at and evaluated, and I'll be looking at
7 that and I'll be providing public comments as
8 to what needs to be shored up in terms of the
9 permitting.

10 He explained to you, for example,
11 the best available control technology, BACT, is
12 being utilized and he also called it I think
13 least or most available control.

14 In any event, the fact of the
15 matter is best available control technology is
16 not required right now for this permit because
17 it's so low under the thresh, it's under the
18 one hundred ton emission level and it's very
19 close under the one hundred ton emission level.

20 If you look at the permit that
21 was passed out today the levels are, like for
22 NOX emissions is 96.30; CO emissions 98.30;
23 VOM, volatile organic matter emissions, 98.50.

1 Those are just dangerously low
2 under the PM's, particular matter, which is

3 fugitive emissions 97.40.

4 Now, if those were over a 100
5 much, much worse, strict standards would have
6 to be applied and best available technology
7 would have to be evaluated by the agency.

8 So it needs to be clear that in
9 fact this plant is going to be operated at
10 those levels, and I'm going to look along with
11 some technical experts to make sure that in
12 fact that it's operating at those levels.

13 And that's kind of what I've
14 been, it's important it seems to me that both
15 from the developer's perspective and all you
16 gentlemen sitting here and the perspective of
17 the citizens that it be done right the first
18 time so that enforcement doesn't have to happen
19 in order to make sure that it's actually
20 operating under the standards that you've been
21 permitted to operate.

22 So that's what I'm going to be
23 doing and looking at it and making sure that in

1 fact this permit meets the current

2 requirements.

3 As we know with any industry
4 ethanol's a great thing. We're all trying to
5 promote it. We're all trying to be a leader of
6 ethanol in our State.

7 We just need to make sure that in
8 fact that when we build these things that it's
9 a good thing for the community and it hasn't
10 interrupted the environment. That's all I
11 have to say tonight, and thank you for your
12 time. Thank you for your comments.

13 MR. BROWN: We've heard now from
14 everyone who has prepared a card and left their
15 name for us. What I'd like to do now is
16 anyone who would like to offer a comment or has
17 any question at this time feel free to step
18 forward either from where you're sitting, or if
19 you'd like to step forward to the podium we'd
20 welcome to have any comments at this time if
21 you care to do so. Okay. Having -- sure.
22 Absolutely.

23 MR. FRANKE: I would like to make

1 a comment. My name is Thurman Franke and I'm
2 one of the directors. I'd like to, the person
3 that asked the question about water and spills,
4 I would just like to tell him that we are, have
5 already had a meeting with the fire department
6 and security people as to how we would handle
7 those things.

8 If he would like to talk to me
9 afterwards I can perhaps enlighten him how
10 those things would take place and I can put him
11 in touch with some of the people at the fire
12 department.

13 The second thing is more of a
14 question. The gentleman that made the
15 statement that even if we put every acre in
16 this country in tillable production it would
17 still only have 25 percent reduction in foreign
18 oil, I challenge that. I would like to see
19 your numbers.

20 AUDIENCE MEMBER: Well, I didn't
21 say foreign oil.

22 MR. FRANKE: Pardon me?

23 AUDIENCE MEMBER: 25 percent

1 reduction in oil use in the United States, not
2 foreign oil.

3 MR. FRANKE: Well, that's not
4 true either. I would like to see where you got
5 that statement. That's all I have to say. But
6 I mean, if you're going to be for ethanol that
7 statement's not for ethanol.

8 AUDIENCE MEMBER: If you'd give
9 me a card and somebody to contact I'll send you
10 some documentation.

11 MR. FRANKE: I will give you my
12 address. Thank you.

13 MR. BROWN: Thank you. I saw
14 one or two other hands in the back of the room.
15 If you still care -- sure. Absolutely.

16 MR. WILTHER: My name's Mike
17 Wilther and I think, you know, it's about time
18 some of the farmers do get some benefits out of
19 this, but the only person I'm here to represent
20 is Shane Wilther, and that's my son.

21 With all these ethanol plants
22 coming up in this community, in this area, why,
23 if there's some concerns on the air pollution

1 and water pollution, why not go above and
2 beyond what you need to to assure that this
3 community and the environment around here and
4 the farmers who are growing the corn on this
5 land do not get affected.

6 MR. BROWN: I'm sorry, could you
7 spell your last name for us, sir?

8 MR. WILTHER: W-I-L-T-H-E-R.

9 MR. BROWN: Thank you for your
10 comment.

11 (Applause.)

12 MR. BROWN: Is there anyone else?
13 Feel free to go ahead and make a comment at
14 this time. Yes. Please.

15 MR. WILSON: I just want to ask a
16 question. Does the State of Illinois EPA, does
17 it compare its regulations with other states
18 such as California or New York or, other than
19 the ones that are just immediately adjoining?

20 Do they actually compare and see
21 the standards or do you have any threshold to
22 figure that? Just as a comment, California
23 has, for example, the California Environmental

1 Quality Act that, it covers many of the issues
2 I've raised.

3 It's all encompassing. Such as
4 it's impossible to get an air permit in
5 California that doesn't figure in the use of
6 water. Water, we know it's a discharge, or is
7 it strictly you're looking at the state next
8 door which, are you working downward or are you
9 working upward so to speak, because right now
10 one of the concerns I do have is emissions
11 related to the boilers and operations of these
12 are less, I mean are more, drastically more,
13 three times in some instances, borders, in
14 states next door that's been built in the last
15 15 years.

16 MR. BROWN: Before, Minesh Patel
17 had a comment he would like to offer in
18 response, but before doing that, one of the
19 items that is significant in this hearing is
20 the relevance of the questions and the
21 comments.

22 With regard to regulations of
23 other states, it's somewhat beyond the hearing

1 today as far as what other states may or may
2 not do in the permitting process. But
3 notwithstanding that, I think Minesh would have
4 a comment.

5 MR. PATEL: The Illinois EPA does
6 compare the emissions regulations from other
7 states. If the project is a major where the
8 BACT is required we look at all the latest best
9 available control technology anywhere in the
10 U.S.

11 MR. BROWN: Are there any other
12 comments? Are there any comments or questions?
13 I see a hand, someone's hands in the back.

14 MS. WILLIAMS: My name is Kathy
15 Williams and I know some of you in the room. I
16 was on the pre-steering committee and I just
17 want to reinforce the fact that the people that
18 are on the board, at least the ones that are on
19 the steering committee that I know, are very
20 careful, very thoughtful, very thorough.

21 They are not going to be doing
22 something that's shoddy because they want to be
23 here for a long time. So I just wanted to pass

1 that along.

2 MR. BROWN: Thank you for your
3 comment. Yes, please.

4 MR. HULTMAN: I have a question
5 concerning --

6 MR. BROWN: Can I -- state your
7 name, please.

8 MR. HULTMAN: Chad Hultman,
9 H-U-L-T-M-A-N. The odor, I know if you go into
10 neighboring communities such as Clinton or
11 Peoria miles away you can smell the corn being
12 processed.

13 I know the scrubbers are
14 controlling part of that, but how much of that
15 smell is going to get out of the community?
16 And the wind can take it quite a ways.

17 MR. BROWN: The matter would
18 probably be more fully developed during the
19 responsive, what's called the responsiveness
20 summary in which the agency responds to
21 comments during the public comment period.

22 Odor is something that typically
23 is considered during the air pollution control

1 reviews such as the type, the size, the
2 efficiency of scrubbers that are going to be
3 used, control devices that are going to be
4 installed.

5 So yes, odor is taken into
6 consideration to the degree that the type of
7 air pollution control equipment is being
8 installed and used.

9 MR. HULTMAN: I have another
10 question. Are you going to make that
11 determination after the plant's been processed
12 and it starts stinking and you've got to figure
13 out you've got to put something better in?

14 MR. BROWN: I hesitate. The
15 permit is based on criteria pollutants,
16 particulate matter, NOX, CO, volatile organic
17 materials. Odor is somewhat of a more
18 nebulous term.

19 So to say that odor is being
20 identified in the permit, it isn't, but the
21 criteria pollutants are. If that's of any
22 help to you.

1 drive up the river by Clinton, Iowa near Aldi's
2 you can smell the corn being processed. The
3 same thing if you're driving through downtown
4 Peoria.

5 MR. BROWN: I understand your
6 question. Yes. This gentleman had his hand
7 up.

8 MR. MARQUIS: I'd like to make a
9 comment regarding that question.

10 MR. BROWN: I'm sorry. Can I
11 ask your name?

12 MR. MARQUIS: Marquis. Mark
13 Marquis. Clinton, Peoria and Decatur are all
14 wet mill plants. This is a dry mill plant.
15 That's night and day. That's apples and
16 oranges, so there is no comparison.

17 MR. HULTMAN: Is there methane
18 gas being removed?

19 MR. BROWN: Thank you for your
20 comment. I'm sorry, i couldn't hear your
21 comment. Your name again, please?

22 MR. HULTMAN: Chad Hultman. The
23 methane gas being removed from the process I

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1 heard, how is that disbursed, eliminated, the
2 odor from that?

3 MR. PATEL: The methane gas is
4 removed from a bioethinator and is routed to
5 the thermal oxidizers, and if the thermal
6 oxidizers are not working they would be out
7 into the flare.

8 MR. BROWN: Yes.

9 MR. WELLS: My name is Tim Wells
10 and I'd just like to go on record making sure
11 that the research that was done here, the
12 management, Fagan, ICM, that the confidence
13 that I have in this organization, the research
14 that was done is definitely on file and has my
15 support.

16 MR. BROWN: Thank you for your
17 comment. Anyone else at this time? Yes, go
18 ahead.

19 MR. MARCHESE: My name is Dale
20 Marchese. It's M-A-R-C-H-E-S-E. I live in

21 Geneseo. I've lived out here for nearly 40
22 years.
23 My main comment, my main question

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1 I would direct first, is this application for
2 permit, does it meet all of the current law set
3 forth by the Illinois State legislature?

4 Does the application to the
5 permit meet the Illinois State law that's been
6 set forth by the legislature or is the EPA
7 writing the law?

8 If the legislature has written
9 the law and this plant conforms to the law, I
10 don't see how you can deny a permit. These
11 other issues, then certainly a person to direct
12 those issues. The wrong person to direct those
13 issues to is the EPA.

14 Go to your State legislators.
15 They're the ones that write the law. So I
16 would say if they meet all the criteria set
17 forth by the Illinois legislature then the
18 permit cannot be denied.

19 MR. BROWN: Thank you for your

20 comment. Is there anyone else who would care
21 to offer a comment or has a question? Yes,
22 Miss Manning.

23 MS. MANNING: I just want to

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1 comment on the gentleman's last question about
2 the Illinois legislature. Obviously, the
3 Illinois legislature makes the laws in terms of
4 what is legal and what is not legal.

5 However, they also in
6 environmental law create a process that is two
7 step that creates the Environmental Protection
8 Agency and rules of the Environmental
9 Protection Agency and The Pollution Control
10 Board create to make sure that because the
11 legislature can't create every little rule that
12 applies to industry.

13 So there is a process, and it's
14 the process that really applies here. And the
15 rules and the regulations that the EPA is
16 charged with applying. It's not just a matter
17 of the State law.

18 The State law creates the EPA

19 then to enforce rules, regulations, permit
20 conditions. That is the environmental process.
21 And I just thought that, more explanation for
22 the record.

23 AUDIENCE MEMBER: Can we get your

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1 name?

2 MS. MANNING: Claire Manning.

3 AUDIENCE MEMBER: Claire Manning.

4 Thank you.

5 MR. BROWN: Thank you, Miss
6 Manning. Yes, go ahead.

7 MR. STERNS: My name is Justin
8 Sterns. I just want to know if you guys knew
9 what the maximum intended inventory was for the
10 site at this time?

11 MR. BROWN: Can you spell your
12 last name for me?

13 MR. STERNS: Sterns.
14 S-T-E-R-N-S.

15 MR. BROWN: Okay. Could you
16 clarify that for us? I think you're asking the
17 maximum inventory?

18 MR. STERNS: Maximum inventory at
19 the site. What the maximum that the company
20 would hold for chemicals during production
21 phase. Has that been thought through yet?
22 MR. PATEL: What chemical?
23 MR. STERNS: For ethanol, for

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1 ammonia, all the chemicals on the site at one
2 time, what the maximum inventory would be.
3 MR. PATEL: For the storage, and
4 there are scientists that are indicating for
5 the permit that we have.
6 MR. STERNS: I mean, is there
7 going to be rail cars on the site? Is there
8 going to be semi trailers? Storage vessels?
9 MR. PATEL: Ethanol loadout would
10 be to the truck loadout and rail loadout.
11 Both would be controlled by a flare. As far
12 as the storage tanks, there are two 1.5 million
13 gallon denatured ethanol tanks.
14 There's one 200,000 gallon
15 ethanol tank. There's another 200,000 gallon
16 for 190 proof ethanol tank, and then there

17 would be a gasoline denaturant tank for three
18 thousand, or 200,000 gallons.

19 MR. BROWN: Is there anyone else
20 that may want to, have a question to ask or has
21 a final comment? Yes, go ahead.

22 MR. ELLIOTT: My name's Ray
23 Elliott. I was on the bottom starting with the

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1 ethanol plant, and what I've heard tonight, I
2 mean, everybody's concerns about emissions and
3 so forth.

4 And I can say this, being that I
5 was on this committee when we first started the
6 group that now is the committee, I think
7 they're taking a lot of concern of what is
8 happening, what's going to happen, because they
9 live around the plant area, if you notice where
10 they all came from.

11 So there's a great concern to
12 them also, as there is to a lot of you here.
13 And I give them a lot of credit for what they
14 are doing and how they're doing it.

15 It's not moving very fast. I was

16 a believer, you know, you're moving too slow,
17 but there's a reason for moving so slow. And
18 that is to make sure everything is in place and
19 is done right, which I believe this committee
20 has done. Thank you very much.

21 MR. BROWN: Thank you for your
22 comment. Anyone else? Yes.

23 MS. POOL: My name is Deb Pool.

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1 And I don't trust the EPA and I don't trust the
2 government. And when it comes to health
3 issues, because any time you have industry and
4 you have toxic chemicals going into the
5 atmosphere you're going to get disease.

6 And I think they will here and I
7 think that people need to wake up and realize
8 what this is doing to your health because it
9 does affect it.

10 You know, it may not be tomorrow
11 or the next day but maybe 10 years down the
12 line or maybe 20, so just keep that in mind.

13 MR. BROWN: Thank you. Is there
14 anyone else that may have a thought or a

15 comment to offer or a question? Yes, go
16 ahead.

17 MR. WASHBURN: I understand that
18 if you, if you build this plant and it produces
19 under, is it 100,000 tons of pollution, that it
20 is at a lower standard for, than if it was
21 producing more.

22 Why can't we have a permit saying
23 let's build the thing so it's set the highest?

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1 That means that you have more control, it's a
2 better plant, let's say, than a plant puts out
3 less.

4 Just build at the highest
5 standard. That's what everybody wants, you
6 know, around here.

7 MR. BROWN: The Agency will issue
8 a permit based upon the information contained
9 in the application. The agency will not
10 dictate to a permittee the facility that they
11 have to build.

12 The Agency basically will react
13 to and review the permit application of the

14 facility being built. But that question is a
15 good one and it can be more fully developed for
16 you in the responsiveness summary. Okay.

17 I apologize. Can I ask, we
18 couldn't quite hear your last name, if you
19 would spell that for us.

20 MR. WASHBURN: W-A-S-H-B-U-R-N.

21 MR. BROWN: Thank you. Is there
22 anyone else? Yes, go ahead.

23 MR. FRANKE: My name is Kenneth

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1 Franke. I'm the mayor here in Annawan. We've
2 been working with the preliminary board and the
3 board that's in effect now.

4 I've lived here for 40 years, 45
5 years, and my children live here and my
6 grandchildren live here. And if I didn't think
7 this plant would be safe we wouldn't want it
8 here.

9 MR. BROWN: Okay. Thank you for
10 your comment. Again, if there's anyone else
11 that has a thought or a comment you'd like to
12 offer, feel free to do that.

13 Okay. I don't see anymore hands
14 this evening. That being the case, and if
15 there are no questions for sure the hearing
16 this evening will be at a close.

17 Again, I just wanted to mention
18 for everyone participating here tonight and for
19 the record that the public comment period will
20 remain open after this evening.

21 It will not close until September
22 1st, so if you'd like to offer comments in
23 writing or questions go ahead and submit those

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1 to the hearing officer at the Illinois EPA, in
2 care of the Patriot Renewable Fuels hearing.

3 The address for the Illinois EPA
4 is 1021 North Grand Avenue, Post Office Box
5 19276, Springfield, Illinois, 62794.

6 And again, comments must be
7 received before September 1st. If you have any
8 questions with regard to obtaining copies of
9 documents within the Illinois EPA's files,
10 those are obtainable as well.

11 Just go ahead and submit a

12 Freedom of Information Act request to the
13 Illinois EPA for those as well.

14 I want to thank everyone who has
15 participated and offered questions and
16 comments. The hearing is now adjourned.

17
18 (Whereupon, the hearing concluded at
19 8:20 p.m.)
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1 CERTIFICATE OF REPORTER

2
3 I, KATHY L. JOHNSON, a Certified
4 Shorthand Reporter in and for the State of
5 Illinois, hereby certify that I reported the
6 evidence in the hearing of the above-entitled
7 cause, and that the above and foregoing
8 typewritten transcript is a full, true and
9 complete translation and transcript of all the
10 shorthand notes of the evidence taken down and

11 reported by me at the hearing of said cause and
12 contains a full, true and complete report of
13 all the evidence offered or introduced.

14

15 In witness whereof, I have hereunto
16 set my hand the 14th day of August, 2006.

17

18

Certified Shorthand Reporter

20

21

22

23